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**Attorney for Plaintiff**  
**SWAMI SHRADDHANANDA SARASWATI**

*\* Defendant City of Berkeley and its respective counsel listed after the caption.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SWAMI SHRADDHANANDA  
SARASWATI, an individual,

Plaintiff,

v.

CITY OF BERKELEY, CITY OF  
ALBANY, PACIFIC GAS & ELECTRIC  
COMPANY, a California registered  
domestic stock corporation, FRANK L.  
YEE, MAY L. YEE, and DOES 1-100,  
Inclusive,

CASE NO. 3:17-cv-04940-MMC  
Civil Rights

**STIPULATION AND [PROPOSED] ORDER  
TO DISMISS CITY OF BERKELEY;  
ORDER THEREON**

Farimah F. Brown, City Attorney, SBN 201227  
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**CITY OF BERKELEY**

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**Attorneys for Defendant  
CITY OF BERKELEY**

**STIPULATION**

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that ONLY Defendant CITY OF BERKELEY shall be dismissed without prejudice from the above-entitled action pursuant to FRCP 41(a)(1)(A)(ii) with each party to bear their own attorneys' fees, costs and litigation expenses. This stipulation does not affect Plaintiff's claims against any other defendant in this action.

**IT IS SO STIPULATED.**

Dated: July 25, 2018

DERBY, McGUINNESS & GOLDSMITH, LLP

By: /s/ Steven L. Derby  
STEVEN L. DERBY, ESQ.  
Attorneys for Plaintiff  
SWAMI SHRADDHANANDA SARASWATI

Dated: July 25, 2018

BERKELEY CITY ATTORNEY'S OFFICE

By: /s/ Kristy Van Herick  
KRISTY VAN HERICK, ESQ.  
Attorneys for Defendant  
CITY OF BERKELEY

Dated: July 25, 2018

ORBACH HUFF SUAREZ & HENDERSON LLP

By: /s/ Kevin E. Gilbert  
KEVIN GILBERT, ESQ.  
Attorneys for Defendant  
CITY OF BERKELEY

**[PROPOSED] ORDER**

of Plaintiff's

At request of Plaintiff, all claims against Defendant CITY OF BERKELEY are dismissed  
^  
without prejudice with each party to bear their own attorneys' fees, costs and litigation expenses.

This does not affect Plaintiff's claims against the remaining defendants, nor does it affect any  
defendant's cross-claims against City of Berkeley.

Dated: August 3, 2018

  
Honorable Maxine M. Chesney  
Senior U.S. District Court Judge